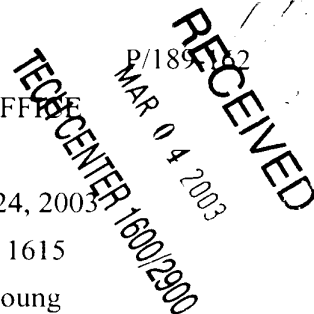


REPLY UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
GROUP ART UNIT 1615



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Antonio Parente DUENA et al.

Serial No.: 09/913,671

Filed: September 24, 2001

Date: February 24, 2003

Group Art Unit: 1615

Examiner: M. Young

For: MICRO-CAPSULES FOR THE SUSTAINED RELEASE OF DRUGS

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 22, 2002 of the Primary Examiner finally rejecting claims 1-11.

The Appeal Fee (\$160 - Small Entity) is

- ☒ Enclosed
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 24, 2003:

Charles C. Achkar

Name of applicant, assignee or
Registered Representative

Charles C. Achkar

Signature

February 24, 2003

Date of Signature

WOG/CCA:lac

Respectfully submitted,

Charles C. Achkar

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